

Implementing the Northwest Forest Plan in the Willamette Province

WILLAMETTE PROVINCE ADVISORY COMMITTEE

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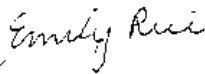
Date: February 28, 2000


Subject: Comments on Draft SEIS, Amendment to Survey and Manage Standards and Guidelines

To: Elaine Zielinski, Chair, Regional Interagency Executive Committee

Enclosed are the Willamette Province Advisory Committee's comments on the Draft SEIS for Amendment to the Survey and Manage Standards and Guidelines.

The comments have been sent to the Content Analysis Enterprise Team for the EIS Team for consideration in the Final SEIS. At the committee's request, we are also providing you a copy of the PAC's comments, for your consideration in final decision on the amended survey and manage direction. We hope the comments are useful in the decision making process and appreciate the opportunity to share the Willamette PAC's input on this very important Northwest Forest Plan issue.


for JULIA DOUGAN
Asst. District Manager, Eugene BLM
Acting Willamette Province Chair


DARREL KENOPS
Forest Supervisor, Willamette NF
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enclosure

cc:
Harold Belisle, Regional Ecosystem Office

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WILLAMETTE PROVINCE ADVISORY COMMITTEE

Willamette Province Advisory Committee
Comments on the Draft SEIS to Amend the Survey and Manage Direction
February 17, 2000

Items 1-5 are the consensus comments of the Willamette Province Advisory Committee on the Draft SEIS to amend the Survey and Manage direction in the Northwest Forest Plan. A subcommittee of the PAC originally drafted the comments that were subsequently reviewed by the full PAC. After a discussion of each point and proposed modifications, the PAC members were individually polled for their support of the comment. The following numbered comment categories, 1-5, and the accompanying bulleted statements were adopted by consensus.

1. Concern: Implementability of the pre-disturbance and strategic surveys as outlined in the preferred alternative.

- Do the agencies have the technical resources such as training programs and trainers and the correct mix of employee skills to carry out the ambitious survey program that is described in the preferred alternative?
- Will the Forest Service and BLM funding in future years be adequate to accomplish the Strategic Surveys and will the implementation of projects be adversely affected by the costs of the pre-disturbance surveys? The reality of the past few years is that the agencies budgets have been flat or declining. Even if total funding levels are maintained at current levels, implementation of the broad program of surveys called for will necessarily reduce funding available for other agency programs. This should be addressed.
- The EIS and/or the Record of Decision should identify and discuss what the contingency plans are in the event that funding in future years is not adequate to accomplish the survey program that is identified in the preferred alternative. It should also address whether there is a multiyear commitment to the strategic surveys.
- We recommend that the agencies seriously consider a more long range, proactive approach to managing all species, i.e. conservation plans designed to address categories or groups of species that would reduce the need for on-going specie by specie surveys.

2. Concern: Does the preferred alternative sufficiently 'fix' the Northwest Forest Plan so the standards and guidelines can be met and litigation loopholes are eliminated or at least, minimized?

- Some of the terminology used in the document is ambiguous and subject to further interpretation and litigation. Examples include, habitat disturbing/ground-disturbing (both terms appear in the document but are nowhere specifically defined); 'reasonable assurance' (refer to last bullet on page 57 that defines when persistence is not a concern); 'minimize inadvertent loss of undiscovered sites' (rationale for pre-disturbance surveys of rare species, page 42).

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- Use of new terminology in the SDEIS that is different from FEMAT and the NWFP SEIS, but apparently is supposed to describe the same thing, i.e. *'high likelihood'* from FEMAT and NWFP versus *'reasonable assurance'* in the DSEIS, opens the door to confusion and possibly legal challenges.
- We recommend that the final SEIS be reviewed by the USDA Office of General Council and the DOI Solicitors Office prior to publication and final decision to help identify terms or phrases that are ambiguous or are not clearly defined.
- We also recommend that the agencies consider devising and including in the decision some mechanism other than judicial review to resolve differences over interpretations of the specific language and requirements in the EIS and ROD. A process that is refereed and has a defined resolution process.

3. Concern: There is a lack of information regarding the strategic surveys.

- We recommend that a strategic survey plan be part of the final document with details on how and when it will be implemented. The public should have the opportunity to review the specifics of the strategic survey plan and comment on it.
- On page 46 it states that surveys for the rare, undetermined species will be started within five years, on page 47 that surveys will be started within ten years for uncommon, undetermined species. The Northwest Forest Plan also called for similar surveys with similar timelines but implementation has been slow, sporadic and not met those timelines. What is different now that makes it more likely that the strategic surveys will occur within the proposed timelines.
- It is likely that strategic surveys will have to be prioritized because of funding and personnel limitations.
- We recommend that interim goals and objectives be established in the SEIS and ROD for these surveys to better track progress toward the five and ten year survey goals and objectives.

4. Comment: The proposed process and criteria for adding and removing species from the list (or changing the status) is a positive step in the Survey and Manage direction. It is a good example of the adaptive management process and we support its use and encourage similar processes.

5. Concern: Is the approach taken in the SDEIS at odds with the proposed National Forest Management Act regulations, e.g. using the concept of focal species versus individual species management?

- How would these apparent discrepancies in basic approach to land management and species conservation planning impact the National Forest Plan revisions?

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The PAC did not reach a consensus on the following comments. These comments are included here because they were in the draft comments brought forward by the subcommittee for the final PAC review and decision.

The DSEIS, Appendix E, criterion for developing the survey and manage lists includes the statement that species that “show association with late-successional and old-growth forest (may reach the highest abundance there, but not necessarily statistically so),” is one of the reasons why species have been included in survey and manage lists. The concern is that this criterion is open to personal biases and is not sound science.

Issue: Why wasn’t an alternative that eliminated old growth harvest for five years while strategic surveys were completed, analyzed in detail?

- It would seem that pre-disturbance surveys would not be necessary if timber harvest were limited to younger stands, thus saving costs of pre-disturbance surveys and surveying for species that upon further information from the strategic surveys, may prove not to be rare.
- Consideration of this alternative would help defend charges that the range of alternatives was too narrow and failed to consider other reasonable alternatives.
- It is possible that this alternative could either be designed to delay harvest of old growth (generally defined as greater than 180 years and having specific stand structures) or as late-successional forests and old growth which would included generally all stands greater than 80 years old. In either case, the definition used would have to be clearly identified.
- Although the proposed alternative would be a delay or deferring harvest in old growth or late successional stands for five years, there is a concern that this could establish a precedent that would not allow the goals of the NWFP to be accomplished.

